

# UNOFFICIAL COPY

Order Vesting Title

Entered Pursuant to 735

ILCS 30/20-5-10:

The Illinois State Toll

Highway Authority

v.

James Matsis as to an

undivided two thirds

(2/3) interest, et al.



Doc# 2324834040 Fee \$88.00

RHSP FEE:\$18.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 09/05/2023 03:37 PM PG: 1 OF 5

## Recorder's Stamp

I hereby certify that attached is a certified copy of the Agreed Amended Order Vesting Title and Defaulting Unknown Owners and Non-Record Claimants entered in Case No. 2016 L 050446 in the Circuit Court of Cook County which affects the property described as follows:

ISTHA Parcel Numbers: NW-7A-12-090  
NW-7A-12-090.T

Permanent Index Number(s): 08-36-100-006

Common known address: Northeast Corner of Elmhurst and Old Higgins Road; 2736 Old Higgins Road, Unincorporated Elk Grove Township, in Cook County, Illinois 60007

Prepared by and Mail to: Mail to:

Vincent D. Pinelli

Burke Burns & Pinelli, Ltd.

70 West Madison Street

Suite 4300

Chicago, IL 60602

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## IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DEPARTMENT, LAW DIVISION

ILLINOIS STATE TOLL HIGHWAY  
AUTHORITY,

Plaintiff,

v.

James Matsas as to an undivided two-thirds (2/3) interest  
and Theofanis Matsas, Demetrios J. Matsas and Vasilios  
Matsas, as Co-Trustees under the provisions of a trust  
agreement entitled "Theofanis Matsas Revocable Trust"  
dated the 13<sup>th</sup> day of August, 2002 as to an undivided  
one-third (1/3) interest; Unknown Owners and  
Non-Record Claimants,

Defendants.

)  
)  
) Case No. 2016 L 050446  
)  
) Parcel Nos.: NW-7A-12-090  
) NW-7A-12-090.T  
)  
)  
) Calendar 3  
)  
)  
)  
)  
) **JURY DEMAND**  
)  
)  
)

### **AGREED AMENDED ORDER VESTING TITLE AND DEFAULTING UNKNOWN OWNERS AND NON-RECORD CLAIMANTS**

This case having come to be heard on the Plaintiff's motion for an order vesting title pursuant to 735 ILCS 5/7-104 and defaulting certain Defendants, the Court having been fully advised in the premises, the Court hereby finds:

That on November 17, 2016, the Court ordered that the sum of \$64,300 be deposited with the Treasurer of Cook County as preliminary just compensation for the acquisition of a five (5) year temporary easement in Parcel No. NW-7A-12-090.T and the fee taking of Parcel No. NW-7A-12-090. On December 9, 2016, Plaintiff deposited the sum of \$64,300 with the Treasurer of Cook County and this Court ordered on December 28, 2016, that Plaintiff was authorized to take immediate possession of Parcel Nos. NW-7A-12-090 and NW-7A-12-090.T and exercise the property rights hereby vested in it.

That pursuant to the parties' agreement, ISTHA filed its First Amendment to Complaint For Condemnation on May 16, 2023, to extend the duration of the temporary easement from the

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date of vesting of title on December 28, 2016 to December 28, 2028, or until completion of construction operations, whichever occurs first.

That the parties have now agreed that the additional amount due from ISTHA constituting preliminary just compensation for the impressment of the temporary easement for construction purposes from the date of vesting title on December 28, 2016 until December 28, 2028, or the completion of construction operations, whichever occurs first, across and upon the real property of Parcel No. NW-7A-12-090.T, legally described in attached Exhibit A is the additional sum of \$1,495. ISTHA having deposited the additional sum of \$1,495 with the Treasurer of Cook County prior to entry of this Order,

WHEREFORE IT IS FURTHER ORDERED THAT:

- 1) The Plaintiff, the Illinois State Toll Highway Authority is hereby vested with a temporary construction easement consistent with the terms stated in the Complaint For Condemnation as amended heretofore in Parcel No. NW-7A-12-090.T, legally described in Exhibit A of the Complaint For Condemnation and also attached hereto as Exhibit A from the date of December 28, 2016 to December 28, 2028, or until completion of construction, whichever occurs first.
- 2) The Plaintiff is authorized to take immediate possession of Parcel No. NW-7A-12-090.T and exercise the property rights hereby vested in it;
- 3) That Defendants Unknown Owners and Non-Record Claimants are hereby defaulted;

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4) That for the avoidance of any doubt, this agreed amended order is effective *nunc pro tunc* to December 28, 2016, the date that the Order Vesting Title and Defaulting Unknown Owners and Non-Record Claimants was entered and the ISTHA acquisition of fee simple title to Parcel No. NW-7A-12-090 is confirmed in all respects.

ENTER: *J M Golden*  
JUDGE

DATE: 8/24/2023

Associate Judge Jean M. Golden

**AUG 24 2023**

Circuit Court - 2214

I hereby certify that the document to which this certification is affixed is a true copy.  
Date **AUG 25 2023**  
**IRIS MARTINEZ**  
Clerk of the Circuit Court  
of Cook County, IL



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FILED DATE: 5/16/2023 4:52 PM 20161050448

**LEGAL DESCRIPTION:**

**NW-7A-12-09D**

THAT PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD P.M., IN COOK COUNTY, ILLINOIS, BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD83 (2007 ADJUSTMENT), DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 1 DEGREE 20 MINUTES 13 SECONDS EAST, 158.00 FEET ON THE WEST LINE OF SAID NORTHWEST QUARTER TO THE NORTH LINE OF LANDS DESCRIBED IN DOCUMENT NUMBER 96701166; THENCE NORTH 87 DEGREES 02 MINUTES 17 SECONDS EAST, 75.00 FEET ON SAID NORTH LINE TO THE EAST RIGHT OF WAY LINE OF ELMHURST ROAD PER DOCUMENT NUMBER 91605173 FOR THE POINT OF BEGINNING; THENCE CONTINUING NORTH 87 DEGREES 02 MINUTES 17 SECONDS EAST, 9.18 FEET ON SAID NORTH LINE; THENCE SOUTH 0 DEGREES 07 MINUTES 11 SECONDS WEST, 157.81 FEET TO SAID EAST RIGHT OF WAY LINE; THENCE NORTHWESTERLY 22.92 FEET ON SAID RIGHT OF WAY LINE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, THE CHORD OF SAID CURVE BEARS NORTH 14 DEGREES 28 MINUTES 34 SECONDS WEST, 22.72; THENCE NORTH 1 DEGREE 20 MINUTES 13 SECONDS WEST, 135.37 FEET ON SAID RIGHT OF WAY LINE TO THE POINT OF BEGINNING.

SAID PARCEL NW-7A-12-09D CONTAINS 0.025 ACRE, (OR) 1,092 SQUARE FEET, MORE OR LESS.

**NW-7A-12-09D.T**

THAT PART OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD P.M., IN COOK COUNTY, ILLINOIS, BEARINGS BASED ON ILLINOIS STATE PLANE COORDINATES, EAST ZONE, NAD83 (2007 ADJUSTMENT), DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 1 DEGREE 20 MINUTES 13 SECONDS EAST, 158.00 FEET ON THE WEST LINE OF SAID NORTHWEST QUARTER TO THE NORTH LINE OF LANDS DESCRIBED IN DOCUMENT NUMBER 96701166; THENCE NORTH 87 DEGREES 02 MINUTES 17 SECONDS EAST, 84.18 FEET ON SAID NORTH LINE TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 87 DEGREES 02 MINUTES 17 SECONDS EAST, 4.71 FEET ON SAID NORTH LINE; THENCE SOUTH 0 DEGREES 00 MINUTES 47 SECONDS WEST, 32.85 FEET; THENCE SOUTH 88 DEGREES 49 MINUTES 50 SECONDS WEST, 4.77 FEET; THENCE NORTH 0 DEGREES 07 MINUTES 11 SECONDS EAST, 32.71 FEET TO THE POINT OF BEGINNING.

SAID PARCEL NW-7A-12-09D.T CONTAINS 0.004 ACRE, OR 155 SQUARE FEET, MORE OR LESS.

